IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.817 OF 1991

Satish Venkatesh Pai- Raikar & Ors. ...Petitioners

Vs.

The State of Maharasthra & Ors. ...Respondents

Mr Mihir Desai for the Petitioners.

Ms Manisha Virkhane i/by Mr R.A. Rodrigues for the Respondent No.3.

CORAM : SMT. RANJANA DESAI AND SHRI A. S. OKA, JJ.

DATE ON WHICH JUDGMENT IS RESERVED : DECEMBER 20,2005.

DATE ON WHICH JUDGMENT IS PRONOUNCED: JANUARY , 2006.

JUDGMENT: (PER A.S.OKA, J):

1. The learned Counsel appearing for the Petitioners submitted that the case of the Petitioners in this Petition is similar to the case of the Petitioners in Writ Petition No.1472 of 1990 (Original Side). He, therefore, submitted that this Petition may be disposed of in terms of the final order which may be passed in Writ Petition No.1472 of 1990. The learned Counsel appearing for the Respondent No.3 has fairly accepted the said position. None appears for the Respondent Nos.1, 2, 4, and 5. No reply has been filed. The office noting shows that the said Respondents have been duly served with the notice.

2. After having perused the averments made in the Petition as well as the annexures to the Petitioner, we

are satisfied that the case of the Petitioners is covered by the decision of this Court in Writ Petition No.1472 of 1990. Accordingly, we pass the following order:

: O R D E R :

i) We direct that while computing the period of service of the lecturers for the purposes of clause (a) of paragraph 12 and clause (a) of paragraph 13 of the Government of Maharashtra Resolution dated 27th February, 1989 bearing No.NGC 1286/(1224)/UNI-4, the service rendered by the lecturers as tutors/demonstrators shall be counted and necessary benefits be conferred on the Petitioners in terms of paragraph Nos.12 and 13 of the Government Resolution dated 27th February, 1989, if the Petitioners are otherwise found to be eligible to receive the said benefit.

ii) The State Government will implement this order in all respects within period of four months from today.

Smt Ranjana Desai, J

Shri A.S. Oka, J.